

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)

Plaintiff,

V.

2:07-CR-302-KJD (RJJ)

JAI HUI KEYES and CHRISTOPHER SMITH,

Defendants.

FINAL ORDER OF FORFEITURE

On February 25, 2008, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); and Title 21, United States Code, Section 853(a)(1) and (p), based upon the plea of guilty by defendant CHRISTOPHER SMITH to the criminal offenses, forfeiting specific property alleged in the Indictment and agreed to in the Plea Memorandum and shown by the United States to have the requisite nexus to the offenses to which defendant CHRISTOPHER SMITH pled guilty. Docket #20, #21.

On February 25, 2008, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); and Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), based upon the plea of guilty by defendant JAI HUI KEYES to the criminal offenses, forfeiting specific property alleged in the Superseding Information and agreed to in the Plea Memorandum and shown by the

1 United States to have the requisite nexus to the offense to which defendant JAI HUI KEYES pled
2 guilty. #19, #22.

3 This Court finds the United States of America published the notice of the forfeiture in
4 accordance with the law on April 1, 2008, April 8, 2008, and April 15, 2008, in the Las Vegas
5 Review-Journal/Sun, further notifying all known third parties by personal service or by regular mail
6 and certified mail return receipt requested, of their right to petition the Court. #27, #36, #44, #66.

7 **SERVICE OF PROCESS:**

8 **Clark County:**

9 On April 24, 2008, the Department of the Treasury Internal Revenue Service, personally
10 served the Preliminary Orders of Forfeiture and the Notice on the Clark County Board of
11 Commissioners, C/O Clark County Clerk. #36, p. 4, 7, 9, #66, p. 48-59.

12 On May 29, 2008, the Department of the Treasury Internal Revenue Service, personally
13 served the Preliminary Orders of Forfeiture and the Notice on the Clark County Board of
14 Commissioners, C/O Clark County Clerk. #36, p. 3, 6, 8, #66, p. 48-59.

15 On April 24, 2008, the Department of the Treasury Internal Revenue Service, personally
16 served the Preliminary Orders of Forfeiture and the Notice on the City of Las Vegas, C/O Oscar B.
17 Goodman, Mayor. #36, p.5, #66, p. 48-59.

18 On April 24, 2008, the Department of the Treasury Internal Revenue Service, personally
19 served the Preliminary Orders of Forfeiture and the Notice on Clark County Water Reclamation
20 District, c/o Clark County Clerk. #36, p. 12, 14-15, #66, p. 48-59.

21 On May 29, 2008, the Department of the Treasury Internal Revenue Service, personally
22 served the Preliminary Orders of Forfeiture and the Notice on Clark County Water Reclamation
23 District, c/o Clark County Clerk. #36, p. 10-11, 13, #66, p. 48-59.

24 On April 24, 2008, the Department of the Treasury Internal Revenue Service, personally
25 served the Preliminary Orders of Forfeiture and the Notice on Clark County, Nevada c/o Rory Reid,
26 County Commission Chairman. #36, p. 16-18, #66, p. 48-59.

1 On April 24, 2008, the Department of the Treasury Internal Revenue Service, personally
2 served the Preliminary Orders of Forfeiture and the Notice on Clark County Assessor, c/o Clark
3 County Clerk. #36, p. 20, 22, 24, #66, p. 48-59.

4 On May 29, 2008, the Department of the Treasury Internal Revenue Service, personally
5 served the Preliminary Orders of Forfeiture and the Notice on Clark County Assessor, c/o Clark
6 County Clerk. #36, p. 19, 21, 23, #66, p. 48-59.

7 On April 24, 2008, the Department of the Treasury Internal Revenue Service, personally
8 served the Preliminary Orders of Forfeiture and the Notice on Clark County Treasurer, c/o Clark
9 County Clerk. #36, p. 26, 28-29, 31, #66, p. 48-59.

10 On May 29, 2008, the Department of the Treasury Internal Revenue Service, personally
11 served the Preliminary Orders of Forfeiture and the Notice on Clark County Treasurer, c/o Clark
12 County Clerk. #36, p. 25, 27, 30, #66, p. 48-59.

13 **City of Henderson:**

14 On April 25, 2008, the Department of the Treasury Internal Revenue Service, personally
15 served the Preliminary Orders of Forfeiture and the Notice on City of Henderson c/o James B.
16 Gibson, Mayor. #36, p. 32, #66, p. 48-59.

17 **Golden West Savings Association:**

18 On April 24, 2008, the Department of the Treasury Internal Revenue Service, served the
19 Preliminary Orders of Forfeiture and the Notice by regular mail and certified return receipt mail on
20 Robert J. McGee, President on behalf of Golden West Savings Association Service Co. #36, p. 40-
21 41, 62-63 #66, p. 48-59.

22 On April 24, 2008, the Department of the Treasury Internal Revenue Service, served the
23 Preliminary Orders of Forfeiture and the Notice by regular mail and certified return receipt mail on
24 CSC Services of Nevada Inc., resident Agent on Behalf of Golden West Savings Association Service
25 Co. #36, p. 72-73, 78-79, #66, p. 48-59.

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Gonzalez & Gonzalez Bond and Insurance Agency:

On April 24, 2008, the Department of the Treasury Internal Revenue Service, served the Preliminary Orders of Forfeiture and the Notice by regular mail and certified return receipt mail on Raul Adler, President on behalf of Gonzalez & Gonzalez Bond and Insurance Agency, Inc. #36, p. 50-51, #66, p. 48-59.

On April 24, 2008, the Department of the Treasury Internal Revenue Service, served the Preliminary Orders of Forfeiture and the Notice by regular mail and certified return receipt mail on Raul Adler, Resident Agent on behalf of Gonzalez & Gonzalez Bonds and Insurance Agency, Inc. #36, p. 54-55, #66, p. 48-59.

On April 24, 2008, the Department of the Treasury Internal Revenue Service, served the Preliminary Orders of Forfeiture and the Notice by regular mail and certified return receipt mail on Corporation Trust Company of Nevada, Resident Agent on behalf of Gonzalez & Gonzalez Bond and Insurance Agency, Inc. #36, p. 74-75, #66, p. 48-59.

On April 24, 2008, the Department of the Treasury Internal Revenue Service, served the Preliminary Orders of Forfeiture and the Notice by regular mail and certified return receipt mail on Gonzalez & Gonzalez, Bonds and Insurance Agency, Inc. #36, p. 52-53, #66, p. 48-59.

Las Vegas Water District:

On April 25, 2008, the Department of the Treasury Internal Revenue Service, personally served the Preliminary Orders of Forfeiture and the Notice on Las Vegas Valley Water District c/o Pat Mulroy, General Manager. #36, p. 34-36, #66, p. 48-59.

On April 25, 2008, the Department of the Treasury Internal Revenue Service, personally served the Preliminary Orders of Forfeiture and the Notice on Las Vegas Valley Water District c/o Chuck Hauser, General Counsel #36, p. 37-39, #66, p. 48-59.

Sunridge at MacDonald Ranch Community Association, Inc.:

On April 24, 2008, the Department of the Treasury Internal Revenue Service, personally served the Preliminary Orders of Forfeiture and the Notice on Benchmark Association Services,

1 Resident Agent of behalf of Sunridge at MacDonald Ranch Community Association, Inc. # 36, p.
2 2, #66, p. 48-59.

3 On April 24, 2008, the Department of the Treasury Internal Revenue Service, served the
4 Preliminary Orders of Forfeiture and the Notice by regular mail and certified return receipt mail on
5 Frank Scharidan, President of Sunridge at MacDonald Ranch Community Association, Inc., on
6 behalf of Sunridge at MacDonald Ranch Community Association Inc. #36, p. 76-77, #66, p. 48-59.

7 **Villas at Blue Diamond Springs Community Association:**

8 On April 25, 2008, the Department of the Treasury Internal Revenue Service, personally
9 served the Preliminary Orders of Forfeiture and the Notice on KGDO Holding Company DBA Terra
10 West, Resident Agent on behalf of Villas at Blue Diamond Springs Community Association. #36,
11 p. 33, #66, p. 48-59.

12 On April 24, 2008, the Department of the Treasury Internal Revenue Service, served the
13 Preliminary Orders of Forfeiture and the Notice by regular mail and certified return receipt mail on
14 Jennifer Johnson, President on behalf of Villas at Blue Diamond Springs Community Association.
15 #36, p. 46-47, #66, p. 48-59.

16 **Wachovia Mortgage Corporation:**

17 On April 24, 2008, the Department of the Treasury Internal Revenue Service, served the
18 Preliminary Orders of Forfeiture and the Notice by regular mail and certified return receipt mail on
19 Tim W. Wilson, President on behalf of Wachovia Mortgage Corporation. #36, p. 42-43, 68-69, #66,
20 p. 48-59.

21 On April 24, 2008, the Department of the Treasury Internal Revenue Service, served the
22 Preliminary Orders of Forfeiture and the Notice by regular mail and certified return receipt mail on
23 Wachovia Mortgage Corporation / World Saving Bank Attention Legal Department. #36, p. 44-45,
24 58-61, 64-67, 70-71, #66, p. 48-59.

25 On April 24, 2008, the Department of the Treasury Internal Revenue Service, served the
26 Preliminary Orders of Forfeiture and the Notice by regular mail and certified return receipt mail on

1 The Prentice-Hall Corporation System, Nevada Inc., Resident Agent on behalf of Wachovia
2 Mortgage Corporation. #36, p. 48-49, 56-57, #66, p. 48-59.

3 **Individuals:**

4 On May 19, 2008, United States Marshals Service attempted to personally serve the
5 Preliminary Orders of Forfeiture and the Notice on Monica Lorena Megia, but were unable to locate
6 her. #44, p. 1, #66, p. 10-15, 48-59.

7 On June 9, 2008, the United States Marshals Service personally served Xu Yang also known
8 as Jasmine Yang with copies of the Preliminary Orders of Forfeiture and the Notice. # 44, p. 2-3,
9 #66, p. 29-30, 48-59.

10 On June 9, 2008, the United States Marshals Service personally served Xu Yang with copies
11 of the Preliminary Orders of Forfeiture and the Notice. #44, p. 4-5, #66, p. 7-9, 21-23, 48-59.

12 The United States Marshals Service attempted to serve Tarnisha Williams with copies of the
13 Preliminary Orders of Forfeiture and the Notice by regular mail and certified mail but were unable
14 to locate Williams. #44, p. 6-7, #66, p. 3-6, 48-59.

15 On July 21, 2008, the United States Marshals Service attempted to serve Soo Jin Ji with
16 copies of the Preliminary Orders of Forfeiture and the Notice by regular and certified return receipt
17 mail. The Certified mail was returned unclaimed, the Regular mail was not returned. #44, p. 8-10,
18 #66, p. 45-59.

19 The United States Marshals Service attempted to serve Jayme Bo Raonhorse with copies of
20 the Preliminary Orders of Forfeiture and the Notice by regular mail and certified mail but were
21 unable to locate Raonhorse. #44, p. 11-16, #66, p. 16-20, 36-40, 48-59.

22 The United States Marshals Service attempted to serve Monica Lorena Mejia also known as
23 Monica L. Garcia with copies of the Preliminary Orders of Forfeiture and the Notice by regular and
24 certified return receipt mail but the mail was returned as undeliverable. #44, p. 17-19, #66, p. 24-28,
25 48-59.

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1 The United States Marshals Service attempted to serve Suh Hee Kim also known as Ji Na
2 Choi with copies of the Preliminary Orders of Forfeiture and the Notice by regular and certified
3 return receipt mail but the mail was returned unclaimed. #44, p. 20-22, #66, p. 31-35, 48-59.

4 The United States Marshals Service attempted to serve Chan Mi Kim with copies of the
5 Preliminary Orders of Forfeiture and the Notice by regular and certified return receipt mail but the
6 mail was returned unclaimed. #44, p. 23-24, #66, p. 41-44, 48-59.

7 On February 25, 2008, a Settlement Agreement, Stipulation for Entry of Order of Forfeiture
8 as to Meixin Zhao, and Order was entered by the Court in which Meixin Zhao relinquished all rights
9 and Title to the properties listed in the Preliminary Orders of Forfeiture (#20, #22) and waived
10 further service of Process. #23.

11 On May 27, 2008, the City of Las Vegas filed the City of Las Vegas' Disclaimer of Interest,
12 relinquishing their right to file a claim on the properties listed in the Preliminary Orders of Forfeiture
13 (#20, #22). #34.

14 **PETITIONS:**

15 On May 23, 2008, the Clark County Treasurer filed a Verified Petition to Assert Legal
16 Interest in Forfeited Property. #32. On October 14, 2008, Clark County filed Clark County's
17 Withdrawal of Verified Petition to Assert Legal Interest in Forfeited Property. #56.

18 On May 27, 2008, Gonzalez & Gonzalez Bonds and Insurance filed a Petition to Adjudicate
19 the Validity of Gonzalez & Gonzalez Bonds Insurance Agency Inc's Interest in Real Property known
20 as 4204 Sunrise Avenue, Las Vegas Nevada. #33. The parties files a Motion (#61), a Declaration
21 (#62), a Response (#63), Replies (#65, #68, #73), an Amended Certificate of Service (#67) and
22 Notices (#71, #72) litigating certain issues. On May 13, 2011, the United States filed USA's Motion
23 to Declare Motion, Declaration, Response, Replies, Amended Certificate of Service, and Notices as
24 Moot and Order because the Internal Revenue Service paid Gonzalez & Gonzalez Bonds and
25 Insurance Agency Inc. #74. On May 19, 2011, the District Court entered an Order granting USA's

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1 Motion to Declare Motion, Declaration, Response, Replies, Amended Certificate of Service, and
2 Notices as Moot and Order. #75.

3 On May 28, 2008, Wachovia Mortgage, FSB fka World Savings Bank, FSB filed a Petition
4 for Hearing to Adjudicate the Validity of Interest of Wachovia Mortgage, FSB fka World Savings
5 Bank, FSB in the Real Properties Commonly Known as 8334 Kimberly Diamond Street, Las Vegas,
6 Nevada 89139 and 2275 Laramine River Drive, Henderson, Nevada 89052. #35. On November 24,
7 2009, the Settlement Agreement, Stipulation for Entry of Order of Forfeiture as to Wachovia
8 Mortgage, FSB fka World Savings Bank, FSB, and Order was filed by the United States. #69. On
9 November 30, 2009, the Order Granting the Settlement Agreement, Stipulation for Entry of Order
10 of Forfeiture as to Wachovia Mortgage, FSB fka World Savings Bank, FSB, and Order was entered
11 by the Court. #70. Additional documents were filed and were declared moot (#75) because 8334
12 Kimberly Diamond Street, Las Vegas, Nevada 89139 and 2275 Laramine River Drive, Henderson,
13 Nevada 89052 were returned to Wachovia Mortgage, FSB fka World Savings Bank. #74.

14 This Court finds no other petitions were filed herein by or on behalf of any person or entity
15 and the time for filing such petitions and claims has expired.

16 This Court finds no petitions are pending with regard to the assets named herein and the time
17 for presenting such petitions has expired.

18 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
19 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
20 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.
21 32.2(c)(2); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code,
22 Section 2461(c); and Title 21, United States Code, Section 853(a)(1) and (p); and Title 21, United
23 States Code, Section 853(n)(7) and shall be disposed of according to law:

24 an *in personam* criminal forfeiture money judgment of \$826,765.00 in United
25 States Currency, including:

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- a. \$127.00 in currency seized from Monica Lorena at 3474 Eldon Street, Las Vegas, Nevada on April 21, 2007;
- b. \$284.00 in currency seized from Jayme Roanhorse at 3474 Eldon Street, Las Vegas, Nevada on April 21, 2007;
- c. \$785.00 in currency seized from Chan Mi Kim at 3474 Eldon Street, Las Vegas, Nevada on April 21, 2007;
- d. \$480.00 in currency seized from Jin Mun Mi at 3474 Eldon Street, Las Vegas, Nevada on April 21, 2007;
- e. \$108.00 in currency seized from Tanisha Williams at 3474 Eldon Street, Las Vegas, Nevada on April 21, 2007;
- f. \$705.00 in currency seized from Soo Jin Ji at 3474 Eldon Street, Las Vegas, Nevada on April 21, 2007;
- g. \$60.00 in currency seized from See Hee Kim at 3474 Eldon Street, Las Vegas, Nevada on April 21, 2007;
- h. \$1,315.00 in currency seized from Xu Yang at 3474 Eldon Street, Las Vegas, Nevada on April 21, 2007;
- I. \$259.00 seized from the northwest bedroom at 3474 Eldon Street, Las Vegas, Nevada on April 21, 2007;
- j. \$40,026.00 seized from Bank of America account number 004969162946;
- k. \$15,695.69 seized from Bank of America account number 0104970825447;
- and
- l. REAL PROPERTY KNOWN AS 4204 SUNRISE AVENUE, LAS VEGAS, NEVADA, APN: 140-31-812-040, and all appurtenances and improvements thereon more particularly described as:

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1 Lot Twenty-nine (29) in Block Three (3) of treasure Park Unit No. 1,
2 as shown by Map thereof on file in book 7 of Plats, Page 19, in the
3 Office of the County Recorder of Clark County, Nevada.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
5 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well
6 as any income derived as a result of the United States of America's management of any property
7 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
8 according to law.

9 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
10 certified copies to the United States Attorney's Office.

11 DATED this 25 day of May, 2011.

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14 UNITED STATES DISTRICT JUDGE
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PROOF OF SERVICE

I, Heidi L. Skillin, Asset Forfeiture Clerk II, certify that the following individuals were served with copies of the Final Order of Forfeiture on May 24, 2011 by the below identified method of service:

Electronic Filing

Kirk T. Kennedy, Lead Attorney
815 S. Casino Center Blvd.
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Attorney for Jia Hui Keyes

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Attorney for Wells Fargo Bank, N.A., successor by merger to Wachovia Mortgage, FSB, successor by merger to World savings Bank, FSB, formerly known as World Savings and Loan Association

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